

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE
in its capacity as elected Office

Date of mailing (day/month/year) 07 June 2001 (07.06.01)	
International application No. PCT/US99/23142	Applicant's or agent's file reference CM1858Z/JH
International filing date (day/month/year) 06 October 1999 (06.10.99)	Priority date (day/month/year)
Applicant TCHEOU, Eric et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
05 April 2001 (05.04.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Olivia TEFY Telephone No.: (41-22) 338.83.38
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CM1858Z/JH		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/23142	International filing date (day/month/year) 06/10/1999	Priority date (day/month/year) 06/10/1999	
International Patent Classification (IPC) or national classification and IPC C11D17/00			
Applicant THE PROCTER & GAMBLE COMPANY et al.			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 7 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☒ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 05/04/2001	Date of completion of this report 20.11.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Hillebrecht, D Telephone No. +49 89 2399 8168 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US99/23142

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-39 as originally filed

Claims, No.:

1-10 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US99/23142

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	3,8
	No:	Claims	1,2,4-7,9,10
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-10
Industrial applicability (IA)	Yes:	Claims	1-10
	No:	Claims	

2. Citations and explanations
see separate sheet

VI. Certain documents cited

1. Certain published documents (Rule 70.10)

and / or

2. Non-written disclosures (Rule 70.9)

see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US99/23142

Reference is made to the following documents:

- D1: EP-A-0 971 028 (PROCTER & GAMBLE) 12 January 2000
- D2: EP-A-0 971 029 (PROCTER & GAMBLE) 12 January 2000
- D3: US-A-5 962 387 (GORLIN PHILIP ET AL) 5 October 1999
- D4: DATABASE WPI Section Ch, Week 199601 Derwent Publications Ltd.,
London, GB; Class D25, AN 1996-007117 XP002005055 & JP 07 286199 A
(LION CORP), 31 October 1995
- D5: GB-A-1 077 067 (UNILEVER)

V.

The subject-matter of claims 1, 7, 8, and 9 is already known from the documents mentioned herein above or at least obvious to those skilled in the art (Article 33(1) to (3) PCT).

- 1.1 Claim 1 claims a detergent tablet comprising a surfactant and a hydrotrope having a cohesive effect on the particulate materials. Claim 7 claims tablets having a tensile strength of at least 15 kPa and a specific solubility. Claim 8 is directed to respective coated tablets and claim 9 defines a method for preparing a washing liquor from the tablets of claim 1.
- 1.2 D3 discloses ADW tablets comprising surfactants and hydrotropes. Xylene and cumene sulfonates, which are also used in the present application, are especially mentioned in D3, column 6, lines 24 to 29. Since the tablets of D3 disclose all the components of present claim 1 it appears to be obvious that they meet also the requirements of present claim 7. D3 is thus relevant for present claims 1 and 7.
- 1.3 This applies as well for the tablets of D4, which represent apparently laundry detergent tablets, due to their high content of surfactants, especially anionic surfactants. This documents attacks the novelty of present claims 1, 7, and 9.
- 1.4 D5 is also directed to laundry detergent compositions (see samples) comprising hydrotropes and surfactants.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US99/23142

- 2.1 The problem of the present application resides in providing detergent tablets (although claim 7 encloses any other tablets) being strong enough to withstand breakage while dissolving easily and rapidly in wash solution.
- 2.2 It is submitted that this problem is the standard problem of all detergent tablets. Applicants do not show how to select respective hydrotropes, which have a "cohesive effect". Moreover, it is obvious that the strength of tablets can be improved when adding cohesive components to the composition. Furthermore the hydrotropes are frequently used in detergent composition. Further questions arise when looking at the examples of the specification in view of any inventive step. Example 1 comprises DIBS as a hydrotrope having a cohesive effect. Example 2 comprises respectively Na toluene sulfonate, which according to page 4 should also have a cohesive effect. Example 3 comprises Na dodecylbenzene sulfonate as a hydrotrope (see again page 4). Example 4 is said to be a tablet according to the invention, but what is about examples 1 to 3? Apparently they do not solve the posed problem due to the high dispensing residues.
- 2.3 Claim 8 is directed to coated tablets. It is submitted that coating of tablets is well known in the art and represents an obvious option when making tablets. Applicants did not show any advantageous, surprising effect of this variation.
- 2.4 The subject-matter of the dependent claims is either already known from the cited documents or at least obvious for those with ordinary skills in the art.

VI. Certain published documents (Rule 70.10)

Application No Patent No	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
EP0971028 (D1)	12.01.2000	10.07.1998	-
EP0971029 (D2)	12.01.2000	24.08.1998	10.07.1998

D1 and D2 may become relevant in the regional/national phase of the procedure, since they disclose tablets as defined in the present claims. Especially D1 appears to be a mere copy of the present application in view of the claims and description.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US99/23142

- VII. The unit "grains per gallon" in claim 7 and in the description is not additionally expressed in terms of SI units as stipulated by Rule 10.1 PCT.

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D3 to D5 is not mentioned in the description, nor are these documents identified therein.

VIII.

1. It is clear from the description on page 6 that the following feature is essential to the definition of the invention:

(1) there must be a specific amount of hydrotropes present in the tablets in order to identify any effect

Since independent claims 1 and 9 do not contain this feature they do not meet the requirement following from Article 6 PCT taken in combination with Rule 6.3(b) PCT that any independent claim must contain all the technical features essential to the definition of the invention.

2. Although claims 1 and 8 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and differ from each other only with regard to the definition of the subject-matter for which protection is sought or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, claims 1 and 8 do not meet the requirements of Article 6 PCT.

Claim 8 was not redrafted as a dependent claim, which is directed to the tablets of any preceding claim, which are additionally coated.

3. Claim 7 does not meet the requirements of Article 6 PCT in that the matter for

which protection is sought is not clearly defined. The claim attempt to define the subject-matter in terms of the result to be achieved which merely amounts to a statement of the underlying problem. The technical features necessary for achieving this result was not added. Moreover, claim 7 depends on the test conditions defined in the claim. Since any individual washing machine may provide different results for the same tablets, the scope of protection is vague.

4. The embodiments of the invention described on pages 36 to 39 do not fall within the scope of the claims, since they are directed to granular compositions. This inconsistency between the claims and the description leads to doubt concerning the matter for which protection is sought, thereby rendering the claims unclear (Article 6 PCT).

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference CM1858Z/JH	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT ISA 220) as well as, where applicable, item 5 below.	
International application No. PCT/US 99/ 23142	International filing date (day month year) 06/10/1999	(Earliest) Priority Date (day month year)
Applicant THE PROCTER & GAMBLE COMPANY et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure

☐ because this figure better characterizes the invention.

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PC 99/23142

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C11D17/00 C11D3/34 //C11D1/722,C11D1/72,C11D3/20,C11D3/37

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and where practical search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document with indication where appropriate of the relevant passages	Relevant to claim No
E	EP 0 971 028 A (PROCTER & GAMBLE) 12 January 2000 (2000-01-12) claims 1-10 page 2, line 40 -page 6, line 43 ---	1-10
E	EP 0 971 029 A (PROCTER & GAMBLE) 12 January 2000 (2000-01-12) claims ---	1-10
X	US 5 962 387 A (GORLIN PHILIP ET AL) 5 October 1999 (1999-10-05) the whole document ---	1,2,6
A	---	3-5,7-10
A	EP 0 711 827 A (UNILEVER PLC) 15 May 1996 (1996-05-15) cited in the application claims ---	1-10

	-/--	

☒ Further documents are listed in the continuation of box C☒ Patent family members are listed in annex

Special categories of cited documents

- A document defining the general state of the art which is not considered to be of particular relevance
- E earlier document but published on or after the international filing date
- L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- O document referring to an oral disclosure, use, exhibition or other means
- P document published prior to the international filing date but later than the priority date claimed

- T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- X document of particular relevance, the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- Y document of particular relevance, the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- S document member of the same patent family

Date of the actual completion of the international search

13 June 2000

Date of mailing of the international search report

26/06/2000

Name and mailing address of the SA

European Patent Office - P.B. 5618 Patentlaan 2
NL - 2280 HV Rijswijk
Tel: +31-70 340-2040 Tx: 31 651 400 01
Fax: +31-70 340-3016

Authorized officer

Serbetsoglou, A

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/23142

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No
X	DATABASE WPI Section Ch. Week 199601 Derwent Publications Ltd., London, GB; Class D25, AN 1996-007117 XP002005055 & JP 07 286199 A (LION CORP), 31 October 1995 (1995-10-31)	1,6
A	abstract ---	2,3
X	GB 1 077 067 A (UNILEVER)	1,2.6
A	claims; examples: tables 1,2 ---	3-5.7
A	WO 93 15180 A (HENKEL KGAA) 5 August 1993 (1993-08-05) page 2, paragraph 3: claims 1.4 ---	1-3.10
A	DE 196 11 013 A (HENKEL KGAA) 25 September 1997 (1997-09-25) page 3, line 21 - line 24: claims 1-9 ---	1.9.10
A	EP 0 846 756 A (PROCTER & GAMBLE) 10 June 1998 (1998-06-10) page 4, line 11 - line 56: claims ---	1.4-8
A	EP 0 225 658 A (AKZO NV) 16 June 1987 (1987-06-16) abstract: claims -----	1

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PC 99/23142

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 0971028	A	12-01-2000	NONE	
EP 0971029	A	12-01-2000	AU 5096199 A WO 0002994 A	01-02-2000 20-01-2000
US 5962387	A	05-10-1999	NONE	
EP 0711827	A	15-05-1996	NONE	
JP 7286199	A	31-10-1995	NONE	
GB 1077067	A		NONE	
WO 9315180	A	05-08-1993	DE 4203031 A	05-08-1993
DE 19611013	A	25-09-1997	WO 9734994 A EP 0888449 A	25-09-1997 07-01-1999
EP 0846756	A	10-06-1998	AU 5443698 A BR 9713871 A CN 1245527 A WO 9824873 A	29-06-1998 14-03-2000 23-02-2000 11-06-1998
EP 0225658	A	16-06-1987	AT 50491 T DE 3669101 D DK 537986 A NO 864492 A.B.	15-03-1990 05-04-1990 13-05-1987 13-05-1987

PATENT COOPERATION TREATY

RECEIVED
JUL 5 2000
P & G Patent Division
International ITC

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

To:

THE PROCTER & GAMBLE COMPANY
Attn. REED, T.
5299 Spring Grove Avenue
CINCINNATI, OHIO 45217-1087
UNITED STATES OF AMERICA

P.G. Mather/ETC
xc: E. C. Mather/ETC

Gayt P990103364
Sant 1-1999-01736
No CL

Date of mailing
(day/month/year)

26/06/2000

Applicant's or agent's file reference

CM1858Z/JH

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/US 99/ 23142

International filing date

(day/month/year)

06/10/1999

Applicant

THE PROCTER & GAMBLE COMPANY et al.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau.

If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



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Authorized officer

Jaap Hurenkamp

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.